



29/ 741 821

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**Statement Claiming Small Entity Status**  
**(37 C.F.R. §§ 1.9(d) and 1.27(c)) -- Small Business Concern**

Applicant, Patentee or Identifier: (1) David G. Kessler; and (2) Michael F. White

Appl. or Patent No.: 09/769,758

Attorney Docket No. 1980.0110001

Filed or Issued: January 26, 2001

Title: Health Care Payment and Compliance System

I hereby state that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Sterling Medical Services, LLC

ADDRESS OF SMALL BUSINESS CONCERN 2 Twosome Drive

Moorestown, New Jersey 08057

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate statements indicating their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization having any rights in the invention (other than the small business concern named above) is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each person, concern, or organization is listed below.

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

Separate statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

NAME OF PERSON SIGNING David G. Kessler

TITLE OF PERSON IF OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING Sterling Medical Services, LLC, 2 Twosome Drive, Moorestown, New Jersey 08057

SIGNATURE 

DATE 5/2/01



## UNITED STATES PATENT AND TRADEMARK OFFICE

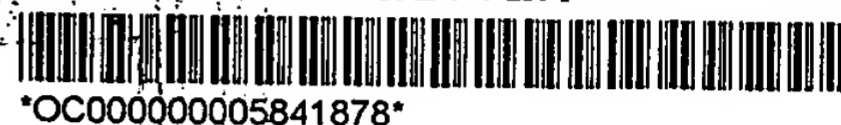
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/769,758         | 01/26/2001          | David G. Kessler      | 1980.0110001           |

CONFIRMATION NO. 7409

26111  
STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W., SUITE 600  
WASHINGTON, DC 20005-3934

## FORMALITIES LETTER



\*OC000000005841878\*

MAR 12 2001

3/12 Date Mailed: 03/08/2001

RES

3/13m

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$144.  
  - \$144 for 8 total claims over 20.
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 984.

05/09/2001 AGOITOM 00000124 09769758

01 FC:201  
02 FC:205355.00 OP  
65.00 OP  
72.00 OP

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

Filing fee, Ex. claims, Decl, Add'l fees May 8, 2001  
Stat Bar October 8, 2001  
Drawings May 8, 2001

DOCKETED

DOCKETED



**STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.**

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skpf.com

SECRET

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MATTHEW J. DOWD\*\*

\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

May 8, 2001

**WRITER'S DIRECT NUMBER:**

(202) 371-2677

**INTERNET ADDRESS:**

RSOKOHL@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

**Box Missing Parts**

Re: U.S. Utility Patent Application  
Appl. No. 09/769,758; Filed: January 26, 2001  
For: **Health Care Payment and Compliance System**  
Inventors: David G. Kessler *et al.*  
Our Ref: 1980.0110001

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated March 8, 2001, Applicants submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. PTO Fee Transmittal Form PTO/SB/17 (*in duplicate*);
2. Copy of the Notice to File Missing Parts;
3. Original Declaration, executed by the inventors;
4. An original executed Power of Attorney from Assignee;
5. Certificate Under 37 C.F.R. § 3.73(b) with copy of Assignment attached;
6. Small Entity Status Form;
7. Request to Approve Proposed Drawings Corrections;

Commissioner for Patents

May 8, 2001

Page 2

8. Ten (10) sheets of drawings with proposed margin corrections;
9. One (1) return postcard; and
10. Our Check No. 31226 for \$492.00 to cover:  
\$355.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)  
\$ 72.00 Fee for excess claims (37 C.F.R. § 1.16)  
\$ 65.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16)

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert Sokohl  
Attorney for Applicants  
Registration No. 36,013

RES/MPT:asl  
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 492.00)

Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 09/769,758       |
| Filing Date          | January 26, 2001 |
| First Named Inventor | David G. KESSLER |
| Examiner Name        | To Be Assigned   |
| Group Art Unit       | 2166             |
| Attorney Docket No.  | 1980.0110001     |

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036

Deposit Account Name Sterne, Kessler, Goldstein & Fox, P.A.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☒ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code    | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|-------------------|-----------------|----------------|-----------------|------------------------|----------|
| 101               | 710             | 201            | 355             | Utility filing fee     | 355.00   |
| 106               | 320             | 206            | 160             | Design filing fee      |          |
| 107               | 490             | 207            | 245             | Plant filing fee       |          |
| 108               | 710             | 208            | 355             | Reissue filing fee     |          |
| 114               | 150             | 214            | 75              | Provisional filing fee |          |
| SUBTOTAL (1) (\$) |                 |                |                 |                        | 355.00   |

### 2. EXTRA CLAIM FEES

|                      |                       |                      |                       | Extra   | below    | Fee Paid |                              |
|----------------------|-----------------------|----------------------|-----------------------|---|----------|----------|------------------------------|
| Total Claims         |                       |                      |                       | <u>28</u>   | - 20** = | <u>8</u> | X <u>9.00</u> = <u>72.00</u> |
| Indep. Claims        |                       |                      |                       | <u>3</u>  | - 3** =  | <u>0</u> | X <u>40.00</u> = <u>0.00</u> |
| Multiple Dependent   |                       |                      |                       |   |          |          | = <u>0.00</u>                |
| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description   |          |          |                              |
| 103                  | 18                    | 203                  | 9                     | Claims in excess of 20                                    |          |          |                              |
| 102                  | 80                    | 202                  | 40                    | Independent claims in excess of 3                         |          |          |                              |
| 104                  | 270                   | 204                  | 135                   | Multiple dependent claim                                  |          |          |                              |
| 108                  | 80                    | 209                  | 40                    | **Reissue independent claims over original patent         |          |          |                              |
| 110                  | 18                    | 210                  | 9                     | **Reissue claims in excess of 20 and over original patent |          |          |                              |
| SUBTOTAL (2)         |                       |                      |                       | (\$)  | 72.00    |          |                              |

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code             | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee paid |
|----------------------|----------|----------|----------|--|----------|
| 105                  | 130      | 205      | 65       | Surcharge - late filing fee or oath  | 65.00    |
| 127                  | 50       | 227      | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                  | 130      | 139      | 130      | Non-English specification  |          |
| 147                  | 2,520    | 147      | 2,520    | For filing a request for ex parte reexamination                            |          |
| 112                  | 920*     | 112      | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113                  | 1,840*   | 113      | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115                  | 110      | 215      | 55       | Extension for reply within first month                                     |          |
| 116                  | 390      | 216      | 195      | Extension for reply within second month                                    |          |
| 117                  | 890      | 217      | 445      | Extension for reply within third month                                     |          |
| 118                  | 1,390    | 218      | 695      | Extension for reply within fourth month                                    |          |
| 128                  | 1,890    | 228      | 945      | Extension for reply within fifth month                                     |          |
| 119                  | 310      | 219      | 155      | Notice of Appeal   |          |
| 120                  | 310      | 220      | 155      | Filing a brief in support of an appeal                                     |          |
| 121                  | 270      | 221      | 135      | Request for oral hearing   |          |
| 138                  | 1,510    | 138      | 1,510    | Petition to institute a public use proceeding                              |          |
| 140                  | 110      | 240      | 55       | Petition to revive - unavoidable   |          |
| 141                  | 1,240    | 241      | 620      | Petition to revive - unintentional   |          |
| 142                  | 1,240    | 242      | 620      | Utility issue fee (or reissue)   |          |
| 143                  | 440      | 243      | 220      | Design issue fee   |          |
| 144                  | 600      | 244      | 300      | Plant issue fee  |          |
| 122                  | 130      | 122      | 130      | Petitions to the Commissioner  |          |
| 123                  | 130      | 123      | 130      | Petitions related to provisional applications                              |          |
| 126                  | 180      | 126      | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581                  | 40       | 481      | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146                  | 710      | 246      | 355      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149                  | 710      | 249      | 355      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179                  | 710      | 279      | 355      | Request for Continued Examination (RCE)                                    |          |
| 169                  | 900      | 169      | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify): |          |          |          |  |          |
| Other fee (specify): |          |          |          |  |          |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65.00)

## SUBMITTED BY

Complete (if applicable)

|                   |   |                                   |        |           |              |
|-------------------|---|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Robert Sokol  | Registration No. (Attorney/Agent) | 36,013 | Telephone | 202.371.2600 |
| Signature         |  | Date                              | 5/8/01 |           |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

4.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kessler *et al.*

Appl. No. 09/769,758

Filed: January 26, 2001

For: **Health Care Payment and  
Compliance System**

Confirmation No.

Art Unit: 2166

Examiner: To be assigned

Atty. Docket: 1980.0110001



**Request to Approve Proposed Drawing Corrections**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Attached are copies of Ten (10) sheets of corrected drawings, containing proposed **margin** corrections to Figures 1A, 1B, 1C, 2-4, 5A, 5B, 5C, 5D, 5E, and 6-10. The proposed changes add no new matter to this application. Applicants request that the Examiner approve the proposed corrections. After official communication of such approval, Applicants will make the appropriate corrections to the formal drawings.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert Sokohl  
Attorney for Applicants  
Registration No. 36,013

Date: 5/8/01  
1100 New York Avenue, N.W.  
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Washington, D.C. 20005-3934  
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requestforcorrecteddrawing